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In re Application of  
Thompson, et al.  
Application No. 09/725,019  
Filed: November 29, 2000  
Atty. Dkt. No.: 10799/12  
For: DNA ENCODING A PLANT  
DEOXYHYPUSINE SYNTHASE, A  
PLANT EUKARYOTIC INITIATION  
FACTOR 5A, TRANSGENIC PLANTS  
AND A METHOD FOR CONTROLLING  
SENESCENCE PROGRAMMED AND CELL  
DEATH IN PLANTS

:  
: DECISION REFUSING STATUS  
: UNDER 37 CFR 1.47(a)  
:  
:

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JUL 26 2004

OFFICE OF PETITIONS

This decision is in response to the petition under 37 CFR 1.47(a), filed June 22, 2004.

The petition is **DISMISSED**.

Rule 47 applicant is given TWO MONTHS from the mailing date of this decision to reply, correcting the below-noted deficiencies. Any reply should be entitled "Request for Reconsideration of Petition Under 37 CFR 1.47(a)," and should only address the deficiencies noted below. Failure to respond will result in abandonment of the application. Any extensions of time will be governed by 37 CFR 1.136(a).

The first executed oath or declaration filed establishes the inventive entity of an application. The provisions of 37 CFR 1.47 are only applicable to original oaths or declarations. The above-identified application was filed November 29, 2000 with an executed declaration filed pursuant to 37 CFR 1.63(d). There is no indication in the record that the declaration has been objected to by the examiner. Thus, it would appear that the petition under 37 CFR 1.47 is inappropriate.

Any renewed petition must clarify the purpose for which petitioner is attempting to submit a new declaration. If petitioner has no intention of submitting a renewed petition,

Alesia M. Brown  
Petitions Attorney  
Office of Petitions